

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SECURE CHANNELS, INC., a California
Corporation,

Plaintiff,

v.

ROBERT COLERIDGE, a Washington
resident,

Defendant.

Case No. C16-1306RSM

**ORDER REGARDING
STIPULATION TO FILE THIRD
AMENDED COMPLAINT AND
STRIKING PENDING MOTIONS**

On March 10, 2017, the parties' filed a Stipulation to File Third Amended Complaint, along with a proposed Order allowing the filing of such Complaint and supplementing the briefing on Defendant's pending Motion to Dismiss the Second Amended Complaint. Dkt. #64. Having reviewed the Stipulation and proposed Order, the Court does not find the parties' proposal regarding Defendant's pending motion to dismiss to be efficient or helpful to the Court.

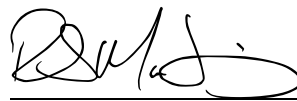
Accordingly, the Court does not accept the parties' proposed Order in that regard and alternatively hereby ORDERS:

1. Pursuant to the Stipulation of the parties, Plaintiff shall file a Third Amended Complaint – in the form sent to opposing counsel as of the date of the parties' stipulation – within two (2) business days of the Court's entry of this Order.
2. Plaintiff's Third Amended Complaint **replaces and supersedes** the previously-filed Second Amended Complaint. Accordingly, Defendant's pending Motion to Dismiss

1 the Second Amended Complaint (Dkt. #51) is **moot** and shall be STRICKEN from
2 the motion calendar. Nothing in this Order precludes Defendant from filing another
3 motion to dismiss should they find such action to be necessary.

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5 3. Plaintiff's pending Motion to Amend Complaint (Dkt. #60) is also now **moot** and
6 shall be STRICKEN from the motion calendar.

7 DATED this 13th day of March, 2017.

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10 RICARDO S. MARTINEZ
11 CHIEF UNITED STATES DISTRICT JUDGE
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